

U.S. Serial No. 10/711,984

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Dkt. No. 81107532 (FGT 1947 PA)

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REMARKS

Examiner's comments in the Office Action marked "non-final" and dated February 26, 2007 have been read and carefully considered by Applicants. In view of such comments, Applicants have herein canceled original claims 1-20 and added new claims 21-40 to better highlight the patentable differences of Applicants' proposed invention as compared to the prior art cited by Examiner in the Office Action. In submitting new claims 21-40, however, Applicants maintain that no new matter has been impermissibly introduced into the present Application.

At the present time, therefore, claims 21-40 remain pending in Applicants' Application for Examiner's consideration. It is Applicants' good faith belief that the pending claims, as newly presented herein, are both novel and non-obvious in view of all known prior art and also properly comply with all applicable statutory requirements. Therefore, Applicants respectfully aver that the pending claims now place the present Application in a condition for allowance and notice thereof is respectfully requested.

Claim Rejections under 35 U.S.C. § 112, ¶ 2:

In the Office Action, Examiner rejected original claims 1-20 under 35 U.S.C. § 112, ¶ 2 as being indefinite for failing to particularly point out and distinctly claim subject matter that Applicants regard as their invention. In particular, Examiner asserted that the "state devices" language set forth within the claims lacked sufficient clarity and definiteness in view of Applicants' specification as originally filed.

In response, Applicants have herein canceled original claims 1-20 and newly submitted claims 21-40, which are intended to highlight Applicants' proposed invention with better clarity and sufficient definiteness. In view of such, Applicants respectfully request that Examiner's rejections under 35 U.S.C. § 112, ¶ 2 be withdrawn.

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Claim Rejections under 35 U.S.C. 102(b):

Also in the Office Action, original claims 1-8, 14-17, and 18-20 were rejected by Examiner under 35 U.S.C. § 102(b) as being anticipated and therefore unpatentable over United States Patent Application Publication Number US 2002/0175507 A1, which was published for Masaaki Kobayashi *et al.* on November 28, 2002 (hereinafter "Kobayashi").

In response, Applicants have herein canceled claims 1-8, 14-17, and 18-20. In view of such, Applicants respectfully request that Examiner's rejections under 35 U.S.C. § 102(b) be withdrawn.

Claim Rejections under 35 U.S.C. § 103(a):

Moreover, in the Office Action, original claims 9, 10, and 17 were rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Kobayashi in view of United States Patent Number 5,936,313, which was issued to Charles R. Cook, Jr. *et al.* on August 10, 1999 ("Cook"). In addition, original claims 12 and 13 were rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Kobayashi in view of Cook and in further view of United States Patent Application Publication Number US 2003/0214308 A1, which was published for Dean Edward Condrón *et al.* on November 20, 2003 ("Condrón").

In response, Applicants have herein canceled original claims 9, 10, 12, 13, and 17. In view of such, Applicants respectfully request that Examiner's rejections under 35 U.S.C. § 103(a) be withdrawn.

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Comments Regarding Cited Prior Art:

In the Office Action, Examiner cited Kobayashi, Cook, and Condrón in various combinations as bases for rejecting original claims 1-20. In view of claims 21-40 newly presented herein, however, Applicants respectfully aver that Kobayashi, Cook, and Condrón neither anticipate nor render obvious Applicants' claimed invention. In particular, Kobayashi, Cook, and Condrón, either alone individually or in combination with each other, neither disclose nor teach or suggest an "airbag-state monitor" within a "smart airbag" that is adapted for "selectively coupling" either an actual "trigger device" or a "trigger substitute" to an external "restraint control module" according to an internally generated "airbag-state signal" so that the restraint control module can "detect" the trigger device or trigger substitute and thereby monitor "deployment" of the airbag, as is now generally set forth in Applicants' independent claims 21, 35, and 39. (Applicants' specification, see especially ¶¶ 0034-0042, 0046-0050, and Figure 2).

CONCLUSION

In view of the claims newly presented herein and also the foregoing remarks, Applicants respectfully submit that claims 21-40 are sufficiently definite and that the claims are both novel and non-obvious with respect to the disclosures and teachings of Kobayashi, Cook, and Condrón. Therefore, Applicants respectfully request that Examiner's rejections under 35 U.S.C. § 112, 35 U.S.C. § 102, and 35 U.S.C. § 103 be withdrawn and that a Notice of Allowance be issued for all claims 21-40.

Together with this Amendment, a "Petition for an Extension of Time" (2 months) is submitted as well along with a Credit Card Payment Form.

Lastly, should Examiner have any questions with respect to any matter now of record, Examiner is invited to contact Applicants' undersigned attorney at (248) 433-7200.

Respectfully submitted,

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